

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

NETWORK-1 SECURITY SOLUTIONS, INC.	)	
	)	
Plaintiff,	)	Civil Action No.: 6:11-cv-00492-LED-JDL
	)	
v.	)	
	)	
ALCATEL-LUCENT USA, INC., <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	

**DEFENDANTS’ NOTICE OF RIPENESS IN VIEW OF NETWORK-1’S  
NON-OPPOSITION TO DEFENDANT’S MOTION TO STAY**

Defendants Avaya Inc., Axis Communications AB, Axis Communications, Inc., Alcatel-Lucent USA Inc., Alcatel-Lucent Holdings Inc., ShoreTel, Inc., Hewlett-Packard Co., Dell Inc., Sony Corporation, Sony Corporation of America, Sony Electronics Inc., Polycom, Inc., and Juniper Networks, Inc. (collectively, “Defendants”) respectfully notify the Court that Defendants’ Motion to Stay (“the Motion,” Dkt. 374) is unopposed and now ripe for decision by the Court.

All parties in this case have either joined the Motion or not opposed it. Plaintiff Network-1 Security Solutions, Inc. (“Network-1”) filed a Notice of Non-Opposition (Dkt. 399) on February 19, 2013. Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America do not oppose the Motion. Defendants Huawei Technologies Co., Ltd. and Huawei Technologies USA Inc. have filed a notice of settlement with the Court (Dkt. 385) and also do not oppose the Motion.

By filing this Notice of Ripeness, Defendants do not concede any of the remarks presented in Network-1's Notice of Non-Opposition. Defendants expressly reserve the right to dispute these remarks in the future, should they be raised in connection with a disputed issue.

Dated: February 22, 2013

Respectfully Submitted,

/s/ Brian M. Koide

Deron R. Dacus  
State Bar No. 00790553  
Shannon Dacus  
State Bar No. 00791004  
THE DACUS FIRM, P.C.  
821 ESE Loop 323, Suite 430  
Tyler, TX 75701  
Telephone: (903) 705-1117  
Facsimile: (903) 705-1117  
[ddacus@dacusfirm.com](mailto:ddacus@dacusfirm.com)  
[sdacus@dacusfirm.com](mailto:sdacus@dacusfirm.com)

Jeffrey D. Sanok  
Brian M. Koide  
CROWELL & MORING LLP  
1001 Pennsylvania Avenue, N.W.  
Washington, DC 20004-2595  
Telephone: (202) 624-2500  
Facsimile: (202) 628-5116  
[jsanok@crowell.com](mailto:jsanok@crowell.com)  
[bkoide@crowell.com](mailto:bkoide@crowell.com)

Scott L. Bittman  
CROWELL & MORING LLP  
590 Madison Avenue, 20<sup>th</sup> Floor  
New York, NY 10028-2524  
Telephone: (212) 895-4223  
Facsimile: (212) 895-4201  
[sbittman@crowell.com](mailto:sbittman@crowell.com)

*Attorneys for Defendant Avaya Inc.*

/s/ Barry W. Graham

---

Barry W. Graham  
C. Gregory Gramenopoulos  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
901 New York Avenue, NW  
Washington, DC 20001-4413  
Tel: (202) 408-4400  
Fax: (202) 408-4400  
[barry.graham@finnegan.com](mailto:barry.graham@finnegan.com)  
[c.gregory.gramenopoulos@finnegan.com](mailto:c.gregory.gramenopoulos@finnegan.com)

Elliot C. Cook  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
Two Freedom Square  
11955 Freedom Dr.  
Reston, VA 20190  
Tel: (202) 571-2700  
Fax: (202) 408-4400  
[elliot.cook@finnegan.com](mailto:elliot.cook@finnegan.com)

Melvin R. Wilcox, III  
State Bar No. 21454800  
YARBROUGH ♦ WILCOX, PLLC  
100 E. Ferguson St., Suite 1015  
Tyler, Texas 75702  
Tel: (903) 595-1133  
Fax: (903) 595-0191  
[mrw@yw-lawfirm.com](mailto:mrw@yw-lawfirm.com)

*Counsel for Defendants*  
*Axis Communications AB and Axis*  
*Communications, Inc.*

/s/ Craig E. Davis

---

Eric H. Findlay (SBN 00789886)  
FINDLAY CRAFT, LLP  
6760 Old Jacksonville Highway  
Suite 101  
Tyler, TX 75703  
Tel: (903) 534-1100  
Fax: (903) 534-1137  
[efindlay@findlaycraft.com](mailto:efindlay@findlaycraft.com)

Mark D. Selwyn (CA SBN 244180)  
(admitted *pro hac vice*)  
Joseph F. Haag (CA SBN 248749)  
(admitted *pro hac vice*)  
Craig E. Davis (CA SBN 221356)  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
950 Page Mill Road  
Palo Alto, CA 94304  
Tel: (650) 858-6000  
Fax: (650) 858-6100  
[mark.selwyn@wilmerhale.com](mailto:mark.selwyn@wilmerhale.com)  
[joseph.haag@wilmerhale.com](mailto:joseph.haag@wilmerhale.com)  
[craig.davis@wilmerhale.com](mailto:craig.davis@wilmerhale.com)

William F. Lee – Lead Attorney  
(MA SBN 291960)  
(admitted *pro hac vice*)  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
Tel: (617) 526-6000  
Fax: (617) 526-5000  
[william.lee@wilmerhale.com](mailto:william.lee@wilmerhale.com)

*Counsel for Defendants Alcatel-Lucent USA Inc.,  
Alcatel-Lucent Holdings Inc., and ShoreTel, Inc.*

/s/ Robert J. Walters

David H. Dolkas (CA Bar No. 11180)  
McDERMOTT WILL & EMERY LLP  
275 Middlefield Road, Suite 100  
Menlo Park, CA 94025  
Tel: (650) 815-7400  
Fax: (650) 815-7401  
[ddolkas@mwe.com](mailto:ddolkas@mwe.com)

Robert J. Walters (D.C. Bar No. 463077)  
McDERMOTT WILL & EMERY LLP  
500 North Capitol Street, NW  
Washington, DC 20001  
Tel: (202) 756-8000  
Fax: (202) 756-8087  
[rwalters@mwe.com](mailto:rwalters@mwe.com)

J. Thad Heartfield (Texas Bar No. 09346800)  
The Heartfield Law Firm  
2195 Dowlen Road  
Beaumont, TX 77706  
Tel: (409) 866-3318  
Fax: (409) 866-5789  
[thad@jth-law.com](mailto:thad@jth-law.com)

*Counsel for Defendant  
Hewlett-Packard Co.*

/s/ J. Michael Woods

Thomas M. Dunham  
(D.C. Bar No. 448407)  
Attorney-in-Charge  
J. Michael Woods  
(VA Bar No. 73535)  
Winston & Strawn LLP  
1700 K Street, NW  
Washington, DC 20006  
Tel: (202) 282-5000  
Fax: (202) 282-5100  
[tdunham@winston.com](mailto:tdunham@winston.com)  
[mwoods@winston.com](mailto:mwoods@winston.com)

Deron R. Dacus  
(Texas Bar No. 00790553)  
The Dacus Firm, P.C.  
821 ESE Loop 323, Suite 430  
Tyler, TX 75701  
Tel: (903) 705-1117  
Fax: (903) 705-1117  
[ddacus@dacusfirm.com](mailto:ddacus@dacusfirm.com)

*Counsel for Defendant Dell Inc.*

/s/ Lionel M. Lavenue

Lionel M. Lavenue  
Troy L. Gwartney  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
Two Freedom Square  
11955 Freedom Dr.

Reston, VA 20105  
Tel: (571) 203-2700  
Fax: (202) 408-4400  
[lionel.lavenue@finnegan.com](mailto:lionel.lavenue@finnegan.com)  
[troy.gwartney@finnegan.com](mailto:troy.gwartney@finnegan.com)

*Counsel for Defendants Sony Corporation, Sony Corporation of America, and Sony Electronics Inc.*

/s/ James H. Hall  
Keith A. Rutherford  
(Texas State Bar No. 17452000)  
Lead Attorney  
Susan K. Knoll  
(Texas State Bar No. 11616900)  
James H. Hall  
(Texas State Bar No. 24041040)  
WONG, CABELLO, LUTSCH,  
RUTHERFORD & BRUCCULERI, L.L.P.  
20333 SH 249, Ste. 600  
Houston, TX 77070  
Tel: (832) 446-2400  
Fax: (832) 446-2424  
[krutherford@counselip.com](mailto:krutherford@counselip.com)  
[sknoll@counselip.com](mailto:sknoll@counselip.com)  
[jhall@counselip.com](mailto:jhall@counselip.com)

*Counsel for Defendant Polycom, Inc.*

/s/ Alan M. Fisch  
Alan M. Fisch  
(D.C. Bar No. 453068)  
FISCH HOFFMAN SIGLER LLP  
5335 Wisconsin Avenue, NW  
Eighth Floor  
Washington, DC 20015  
Tel: (202) 362-3500  
Fax: (202) 362-3501  
[alan.fisch@fischllp.com](mailto:alan.fisch@fischllp.com)

*Counsel for Defendant Juniper Networks, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of this document via email, facsimile and/or U.S. First Class Mail this 22nd day of February, 2013.

/s/ Melvin R. Wilcox